UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
BARNES-BULLOCK, CRYSTAL JOY

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _12 July 2010_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,4-6,8,11-14 and 19-29_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,4-6,8,11-14 and 19-29_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _07 April 2006_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _6 Jul '10, 12 Jan '10_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   The following is a Final Office Action in response to the Amendment

received on 12 July 2010. Claims 1, 4-6, 8, 11-14, 19 and 20 have been amended.

Clams 2, 3, 7, 9, 10 and 15-18 have been cancelled. Claims 21-29 have been added.

Claims 1, 4-6, 8, 11-14 and 19-29 are now pending in this application.

Response to Arguments

2.   Applicant's arguments filed 12 July 2010 have been fully considered but

they are not persuasive. In response to applicants' argument that each of Thurner's

display views do not include a same graphic element corresponding to a same

graphical element object, the Thurner et al. reference discloses [i]n the first

arrangement, the left (L) and upper views (U), i.e., panes are coupled, according to

a predetermined relationship, such that selection of an object in either pane

results in a corresponding refocusing of the other pane on a related object. In the

same arrangement, the middle (M), bottom (B) and right (R) panes are coupled,

creating a separate view of coupled panes, or views. In the same manner, this view

refocuses the coupled panes when an object in a pane is selected. In a second

arrangement shown in FIG. 4a, it is possible to couple the left (L), upper (U) and

middle (M) panes, while separately coupling the bottom (B) and right (R) panes. The panes are coupled according to a predetermined relationship, such that selection of an object in a pane results in a corresponding refocusing of the other pane(s) on a related object. In the third arrangement, all panes are shown coupled. The panes are coupled according to a predetermined relationship, such that selection of an object in a pane results in a corresponding refocusing of the other pane(s) on a related object. The described arrangements support multiple coupling of views, although one coupling a single set, or sub-set, of views is certainly within the scope of the present invention. (See columns 3-4 lines 66-20).

Priority

3.   Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged. Applicant has complied with the conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 119(e) and 365(c).

Information Disclosure Statement

4.   The examiner has considered the information disclosure statement (IDS) submitted on 12 January 2010.

5.   The information disclosure statement filed 6 July 2010 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Specification

6.   The amendment to the specification was received on 12 July 2010. These corrections are acceptable.

Claim Objections

7.   Claim 14 is objected to because of the following informalities: "or and" in the next to the last line is unclear. Appropriate correction is required.

Claim Rejections - 35 USC § 112

8.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

9.   Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject

matter which applicant regards as the invention.

10.   The "non-dedicated mode" is not clearly defined in claim 6.

11.   The amendment to the claims was received on 12 July 2010. These

corrections are acceptable.

Claim Rejections - 35 USC § 102

12.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

that form the basis for the rejections under this section made in this Office

action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a
> patent granted on an application for patent by another filed in the United States before the
> invention by the applicant for patent, except that an international application filed under the
> treaty defined in section 351(a) shall have the effects for purposes of this subsection of an
> application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

13.   Claims 1, 4-6, 8, 11-14, and 19-29 are rejected under 35 U.S.C. 102(e) as

being anticipated by USPN 7,165,226 B2 to Thurner et al.

As per claim 1, the Thurner et al. reference discloses an integrated graphical

user interface for a process control environment, the interface comprising: a

configuration environment (see column 3 lines 31-42, "integrated engineering

environment") including a plurality of graphical element objects (see column 3 lines

43-47, "graphical design of objects"); and a runtime environment (see column 2

lines 53-67, "Workbench 18, runtime GUIs") including a real-time interface

("Workbench 18" and see Abstract, "real-time monitoring and operation") to two or

more functional areas (see column 2 lines 44-47, "HMI, diagnostic, maintenance,

mechanical and electrical engineering") of a process plant (see column 2 lines 36-

40, "manufacturing plant"), the functional areas ("HMI, diagnostic, maintenance,

mechanical and electrical engineering") including operations ("real-time monitoring

and operation"), maintenance ("maintenance"), configuration ("design and

modification of business objects and business process"), and simulation

("visualization"), the real-time interface ("Workbench 18") providing two or more

real-time displays (see column 2 lines 53-56, "display areas") from a set of real-

time displays ("display areas"), the set of real-time displays ("display areas")

including an operator display ("HMI"), a maintenance display ("maintenance"), a

configuration display ("design and modification of business objects and business

process"), and a simulation display ("visualization"), and each of the two or more

real-time displays ("display areas") includes a same graphic element (see column 4

lines 10-13, "related object") corresponding to a same graphical element object

("related object") of the plurality of graphical element objects ("selection of an

object").

As per claim 4, the Thurner et al. reference discloses the two or more real-

time displays ("display areas") include a display ("display areas") of at least one of a

panel motor start/stop button, a status indication (see column 3 lines 38-42,

"Dataflow Views 27, State Machine Views 28"), a chart recorder, an annunciator

panel, a subsystem interface ("HMI, diagnostic, maintenance, mechanical and

electrical engineering"), a maintenance request ("maintenance"), a maintenance

report ("maintenance"), or a supervisory report.

As per claim 5, the Thurner et al. reference discloses the interface

("Workbench 18") supports an operator interface ("HMI") for performing one or

more of alarm management, process parameter adjustment by entry of process

parameters, zoom in viewing of portions of the process for enhanced detail viewing,

or utilization of specialized applications (see column 3 lines 45-47, "Tree, Table,

XML, and HTML views") related to the process.

As per claim 6, the Thurner et al. reference discloses the interface

("Workbench 18") can run in a dedicated mode (see column 4 lines 34-47, "second

mode") and a non-dedicated mode (see column 4 lines 21-33, "first mode"), the

dedicated mode ("second mode") comprising at least one of: a mode ("second

mode") including a fixed display arrangement (see column 6 lines 11-23, "uncoupled

views") or a mode corresponding to controlled access.

As per claim 8, the Thurner et al. reference discloses the same graphical

element object ("related object") is executable on one or more of a workstation

("Workbench 18"), a laptop, a PDA (Personal Data Assistant), a display on multiple

monitors, or a smart phone.

As per claim 11, the Thurner et al. reference discloses the interface

("Workbench 18") supports multiple user interface devices ("GUIs") including at

least one of a rich client, a web browser (see column 1 lines 46-50, "smart

browser"), a handheld, or a smart phone.

As per claim 12, the Thurner et al. reference discloses the interface

("Workbench 18") supports one or more of: integrated voice and video; real-time

data services ("real-time monitoring and operation"); external data services; XML

files (see column 3 lines 45-47, "XML"); access to other service interfaces ("HMI,

diagnostic, maintenance, mechanical and electrical engineering"); composite

structure process graphics; class-based control hierarchies (see column 7 lines 25-

26, "abstract and concrete classes"); integration of control, alarming, and abnormal

situation management and prevention (see column 6 lines 30-39, "Troubleshooting …

Predictive Maintenance"); integrated batch operator interfaces (see column 5 lines

22-24, "batch editor"); integrated advanced control operator interfaces; route

management; efficiency calculations; optimizations; mass and energy balances;

integration of third party applications; multiple data collection systems (DES), or

combinations thereof.

As per claim 13, the Thurner et al. reference discloses a runtime

environment ("Workbench 18, runtime GUIs") further includes an instantiation

process (see column 7 lines 17-20, "instantiation") that binds, during runtime

("runtime GUIs"), the same graphical element object (see column 7 lines 31-37,

"components") to a data source ("data structures") in the process control

environment ("manufacturing processes").

As per claim 14, the Thurner et al. reference discloses an integrated graphical interface providing integrated graphical displays for operation, maintenance, configuration, and simulation of a control system, the interface comprising: a real-time user interface (see column 2 lines 53-67, "Workbench 18") providing two or more real-time displays ("display areas") from a set of real-time displays ("display areas"), the set of real-time displays ("display areas") including an operator display ("HMI"), a maintenance display ("maintenance"), a configuration display ("design and modification of business objects and business process"), and a simulation display ("visualization"); a graphic element (see column 3 lines 43-47, "graphical design of objects") on each of the two or more real-time displays ("display areas") and corresponding to a same graphical element object (see column 4 lines 10-13, "related object") bound to each of the two or more real-time displays ("display areas") and to a data source (see column 7 lines 31-37, "components") in the process plant ("factory standardized production"), the same graphical element object ("related object") including an element binding ("instantiation") and at least one of a visualization ("graphically mapped"), an element parameter, an element property, an element action, or and element animation.

As per claim 19, the Thurner et al. reference discloses a method, comprising

providing an integrated graphical user interface (see column 2 lines 53-67,

"Workbench 18") for two or more functional areas (see column 2 lines 44-47, "HMI,

diagnostic, maintenance, mechanical and electrical engineering") of a process plant

(see column 2 lines 36-40, "manufacturing plant"), the functional areas ("HMI,

diagnostic, maintenance, mechanical and electrical engineering") including

operations ("real-time monitoring and operation"), maintenance ("maintenance"),

configuration ("design and modification of business objects and business process"),

and simulation ("visualization"); providing two or more real-time displays ("display

areas") from a set of real-time displays ("display areas"), the set of real-time

displays ("display areas") including an operation ("HMI"), a maintenance display

("maintenance"), a configuration display ("design and modification of business

objects and business process"), and a simulation display ("visualization"); providing a

set of graphical element objects (see column 3 lines 43-47, "graphical design of

objects"), each graphical element object ("graphical design of objects")

corresponding to a different data source (see column 7 lines 31-37, "components")

in the process plant ("manufacturing plant"); and including, on each of the two or

more real-time displays ("display areas"), a particular graphic element (see column

4 lines 10-13, "related object") corresponding to a same graphical element object ("related object") of the set of graphical element objects ("graphical design of objects").

As per claim 20, the Thurner et al. reference discloses further comprising: providing a set of graphical display objects ("display areas"), each graphical display object ("display areas") including at least two graphical element objects ("graphical design of objects") from the set of graphical element objects ("graphical design of objects"); and including, on each of the two or more real-time displays ("display areas"), a particular graphic display ("display areas") corresponding to a same graphical display object ("display areas") of the set of graphical display objects ("display areas").

As per claim 21, the Thurner et al. reference discloses the same graphical element object ("related object") includes at least one of a visualization (see column 7 lines 31-42, "graphically mapped"), a parameter or property, an action or animation, or a binding ("instantiation").

As per claim 22, the Thurner et al. reference discloses the configuration environment ("integrated engineering environment") further includes a plurality of graphical display objects ("display areas"), each graphical display object ("display

areas") includes at least two graphical element objects ("graphical design of

objects"), and each of the two or more real-time displays ("display areas") includes

a graphic display ("display areas") corresponding to a graphical display object

("display areas") of the plurality of graphical display objects ("display areas").

As per claim 23, the Thurner et al. reference discloses the graphical display

object ("display areas") includes at least one of: a connector (see column 7 lines 31-

42, "graphically mapped"), an animation or action, a property, or a binding

("instantiation").

As per claim 24, the Thurner et al. reference discloses the non-dedicated

mode ("first mode") is for use by configuration personnel (see column 5 lines 15-29,

"Engineer").

As per claim 25, the Thurner et al. reference discloses the configuration

environment ("integrated engineering environment") further includes a graphical

display editor (see column 6 lines 60-63, "browser/editor mode buttons") for

creating the plurality of graphical element objects ("graphical design of objects")

and a graphic object database (see column 8 lines 11-14, "reusable libraries") for

storing the plurality of graphical element objects ("graphical design of objects").

As per claim 26, the Thurner et al. reference discloses the same graphical element object ("graphical design of objects") is included in at least one of: predictive control, predictive maintenance (see column 6 lines 33-36, "Predictive Maintenance"), or system level error detection in the process plant ("manufacturing plant").

As per claim 27, the rejection of claims 22 and 23 are incorporated and further claim 27 contains limitations recited in claims 22 and 23; therefore claim 27 is rejected under the same rational as claims 22 and 23.

As per claim 28, the rejection of claims 13 and 25 are incorporated and further claim 28 contains limitations recited in claims 13 and 25; therefore claim 28 is rejected under the same rational as claims 13 and 25.

As per claim 29, the rejection of claims 8 and 11 are incorporated and further claim 29 contains limitations recited in claims 8 and 11; therefore claim 29 is rejected under the same rational as claims 8 and 11.

Conclusion

14.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.**

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as

set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the

advisory action is not mailed until after the end of the THREE-MONTH shortened

statutory period, then the shortened statutory period will expire on the date the

advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the date of

this final action.

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Crystal J. Barnes-Bullock whose telephone

number is 571.272.3679. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Albert Decady can be reached on 571.272.3819. The fax

phone number for the organization where this application or proceeding is assigned

is 571-273-8300.

Information regarding the status of an application may be obtained from the

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would like assistance from a USPTO Customer Service Representative or access to

the automated information system, call 800-786-9199 (IN USA OR CANADA) or

571-272-1000.

/Crystal J. Barnes-Bullock/
Primary Examiner, Art Unit 2121
23 September 2010